

MEMBERS OF THE PUBLIC WILL BE PERMITTED TO PARTICIPATE IN THIS MEETING by teleconference by calling 1-301-715-8592 and entering Meeting ID number: 833 3908 9138  
Passcode: 543248 or by visiting Join Zoom Meeting at:  
<https://us06web.zoom.us/j/83339089138?pwd=THQ2OEYvWVEvTnROTjVNVak5uNjNaQT09>

Mayor and Council Meeting  
Council Chamber, Smyrna Town Hall  
27 S. Market Street Plaza, Smyrna, Delaware  
August 7, 2023 – 6:45 PM

### Agenda

#### 1. 6:45 PM - Public Hearing

- a. An application from SBCL Properties, LLC to rezone 25-acres of vacant land on 52 parcels to be re-subdivided from R-1A Residential to PVC – Planned Village Community to comply with the 2020 Comprehensive Plan. The property is located at 1181 Duck Creek Road (TM 28-004.40-126 through 28-004.40-177).
- b. A Concept Major Re-Subdivision from SBCL Smyrna Properties, LLC to re-subdivide an existing 47-lot residential subdivision on 25 acres into 81 lots to accommodate 49 proposed single-family dwellings and 32 townhouse dwellings and accompanying streets, parking areas, and open spaces and recreational amenities. The property is located at 1181 Duck Creek Road (TM 28-004.40-126 through 28-004.40-177) and is currently zoned R-1A Residential.
- c. An Ordinance amending the Town Code of the Town of Smyrna to Clarify the Standards for Waste Container Enclosures. This ordinance clarifies what structures and materials qualify as waste container enclosures. This ordinance exempts waste container enclosures from permitting requirements and allows waste container enclosures to be placed up to 4 feet into the front, side, and rear yard setbacks.

#### 2. 7:00 PM - Regular Meeting

#### 3. Pledge of Allegiance/Moment of Silence

#### 4. Roll call

5. Additions/deletions to published agenda

6. Consent agenda:

- a. Council minutes of 07/17/2023
- b. Executive session minutes of 07/17/2023
- c. Police Department monthly report

7. Non-agenda Items:

- a. Mayor & Council Members
- b. Police Chief
- c. Town Manager

8. Old business, including Discussions & Possible Action on the following items:

9. New Business, Including Discussion & Possible Action on the following Items:

- a. Terms of Office for the Shade Tree Commission
- b. Reappointment of Valerie Forbes to the Shade Tree Commission
- c. Reappointment of Michael Turner to the Shade Tree Commission
- d. Discussion and potential purchase of electric franchise on eleven parcels
- e. Autumn in Duck Creek
- f. An application from SBCL Properties, LLC to rezone 25-acres of vacant land on 52 parcels to be re-subdivided from R-1A Residential to PVC – Planned Village Community to comply with the 2020 Comprehensive Plan. The property is located at 1181 Duck Creek Road (TM 28-004.40-126 through 28-004.40-177).

g. A Concept Major Re-Subdivision from SBCL Smyrna Properties, LLC to re-subdivide an existing 47-lot residential subdivision on 25 acres into 81 lots to accommodate 49 proposed single-family dwellings and 32 townhouse dwellings and accompanying streets, parking areas, and open spaces and recreational amenities. The property is located at 1181 Duck Creek Road (TM 28-004.40-126 through 28-004.40-177) and is currently zoned R-1A Residential.

h. An Ordinance amending the Town Code of the Town of Smyrna to Clarify the Standards for Waste Container Enclosures. This ordinance clarifies what structures and materials qualify as waste container enclosures. This ordinance exempts waste container enclosures from permitting requirements and allows waste container enclosures to be placed up to 4 feet into the front, side, and rear yard setbacks.

10. Presentation and public comments (3 minutes)

11. Other Council Business

12. Executive session to discuss the potential acquisition of real property. 29 Del. C. Sec. 10004(b)(2)

13. Possible action on matters discussed in executive session regarding the potential acquisition of real property

14. Executive session to discuss personnel matters in which the names, competency, and abilities of individual employees will be discussed. 29 Del. C. § 10004(b)(9)

15. Discussion and possible action on personnel matters discussed in executive session

16. Executive session to hold a strategy session with respect to collective bargaining with a labor union. 29 Del.C Sec. 10004(b)(4)

17. Discussion and possible action on matter discussed in executive session regarding collective bargaining

18. Executive session to hold a strategy session involving legal advice or an opinion from an attorney-at-law, with respect to pending or potential litigation 29 Del. C. § 10004(b)(4)

19. Discussion and potential action on matters discussed in executive session involving pending or potential litigation

20. Adjournment

Posted 07/28/2023 at 4:30 PM (#1)

Posted 08/02/2023 at 4:30 PM (#2) – items removed at the request of the Vice Mayor and the Town Manager

NOTE: This agenda as listed may not be considered in sequence. This agenda is subject to change to include additional items, including Executive Sessions, and/or deletion of items, including Executive Sessions that arise at time of meeting.